

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
) Crim. No. 04-10156-WGY
JOHN CHU and)
ZHU ZHAOXIN,)
 Defendants.)

JOINT MOTION TO CONTINUE TRIAL DATE FROM JUNE 13, 2005
UNTIL SEPTEMBER 19, 2005

Counsel for Defendant John Chu, and the United States Attorney, by and through the undersigned Assistant United States Attorney, hereby jointly move the Court to continued the trial of Mr. Chu's matter from June 13, 2005 until September 19, 2005. As grounds therefor, the parties state as follows:

1. Defendant Chu has filed a *pro se* motion to raise an entrapment defense.
2. The United States is providing to defense counsel translations and transcriptions of a series of conversations on May 6, 2004, involving defendant, co-defendant Zhu Zhaoxin, and undercover agents of Immigration and Customs Enforcement. The government believes that the translation/transcription will be available on or about June 3.
3. Counsel have consulted with the Court's Clerk and it appears that September 19, 2005 is the next mutually convenient trial date for the Court and counsel.

4. A continuance to that date will provide adequate time to prepare this matter for trial.
5. By prior Orders, this Court has previously excluded time under the Speedy Trial Act up to and including June 13, 2005.
6. Accordingly, the parties request that the trial of Defendant John Chu be continued from June 13, 2005 until September 19, 2005, and further request that the Court find that the interests of justice outweigh the interests of the Defendant and the public in a speedy trial, and exclude the ninety-eight (98) day period from June 13, 2005 up to and including September 18, 2005, all pursuant to 18 U.S.C. §3161(h)(8)(A) and § 5(c)(1)(A) of the Plan for Prompt Disposition of Criminal Cases of this Court.

Respectfully submitted,

JOHN CHU,
By his attorney,

/s/ Charles McGinty
CHARLES MCGINTY
Federal Defender Office
Boston, MA 02210
(617)223-8061

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Gregory Moffatt
GREGORY MOFFATT
Assistant U.S. Attorney
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Date: June 3, 2005